

**11008. Adulteration of shell eggs. U. S. v. 119 Cases and 155 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. Nos. 16748, 16749. I. S. Nos. 1104-v, 1107-v. S. Nos. E-4112, E-4113.)

On or about July 28, 1922, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 274 cases of shell eggs, remaining in the original unbroken packages at Baltimore, Md., having arrived on or about July 26, 1922, alleging that the article had been shipped by Stevens Bros., from Greenville, Tenn., and transported from the State of Tennessee into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Stevens Bros. Greenville, Tenn., Baltimore, Md."

Adulteration of the article was alleged in substance in the libels for the reason that it contained an excessive amount of eggs which were decomposed in whole or in part.

On July 30, 1922, the two cases having been consolidated into one action and R. Nelson Stevens, trading as Stevens Bros., having entered an appearance as claimant for the property and having admitted the material allegations of the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be inspected and assorted under the supervision of this department and that the portion thereof which was not adulterated might be disposed of for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11009. Adulteration of shell eggs. U. S. v. 400 Cases of Eggs. Consent decree of condemnation and forfeiture. Product released under bond.** (F. & D. No. 16751. I. S. No. 3929-v. S. No. C-3757.)

On or about August 2, 1922, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases of eggs, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by S. E. Hackman Co., Holdrege, Nebr., July 7, 1922, and transported from the State of Nebraska into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy animal substance, for the further reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On August 17, 1922, the Frank G. Heilman Co., Chicago, Ill., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the said product be candled under the supervision of this department, the bad portion destroyed and the good portion released.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11010. Misbranding of Giepsi Vemela. U. S. v. 9 Bottles of Giepsi Vemela. Default decree ordering destruction of the product.** (F. & D. No. 14944. I. S. No. 10802-t. S. No. W-924.)

On July 21, 1921, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 bottles of Giepsi Vemela, remaining unsold in the original unbroken packages at Las Cruces, N. Mex., alleging that the article had been shipped by the Giepsi Vemela Co., Douglas, Ariz., February 4, 1921, and transported from the State of Arizona into the State of New Mexico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of vegetable extractives, sugar, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottles and cartons containing the said article and the accompanying circulars bore certain statements, designs, and devices regarding its curative

and therapeutic effect, to wit, (carton, English and Spanish) “\* \* \* for the tuberculosis, colds, coughs, anemia and general debility,” (bottle, English and Spanish) “\* \* \* It is recommended for tuberculosis, colds, coughs, anemia and general debility \* \* \* In serious cases \* \* \*,” (circular, English) “Giepsi Vemela \* \* \* excellent results \* \* \* obtained in the treatment of all impurities of the blood. \* \* \* and for the results that have been obtained in the treatment of tuberculosis. \* \* \* For the impurities of the blood, such as pimples, tumors, fistula, swelling of the feet, ankles and legs, and irritation of the blood. \* \* \* For coughs, colds, bronchitis, whooping cough, sore throat, \* \* \* If you want your body to be strong, to stand the effects of cold weather, we recommend you to take one or two bottles and you will be surprised to see how well it will build you up. For disorders and sickness of the stomach \* \* \* For anemia, tuberculosis and general debility, \* \* \* tuberculosis of the stomach and Bowels. \* \* \* my stomach was so badly infected that I could not eat, \* \* \* Since I have been taking this Giepsi Vemela I can eat any kind of food, and can do a man’s work, before taking it I could not. \* \* \* Giepsi Vemela, has cured me \* \* \*

This medicine is not only a good medicine for Tuberculosis, but for coughs and colds, and weak stomach, and lungs,” (circular, Spanish) “The Specific ‘Giepsi Vemela’ Is today recognized among the most highly estimated remedies by the excellent results which it has demonstrated in the treatment of diseases of the blood. \* \* \* also for the results which have been demonstrated in the treatment of Phthisis, even in the third period. \* \* \* impurities of the blood which are manifested in the following forms: Pimples, Tumors, Ulcers in the throat or nose, Swellings which appear without cause, Irritations of the skin and Lockjaw. This medicine is recommended especially for Anemia, Catarrhal Colds, Bronchitis, Coughs and Whooping Cough, Sore Throat and Hoarseness. For the Diseases of the Stomach, such as Cholera, Sick Stomach, \* \* \* Tuberculosis, Bronchitis, Catarrhal Colds, Coughs and Whooping Coughs, Sore Throat and Hoarseness, Tumors, Fistulas, Swellings, Lockjaw, Blackheads \* \* \* for diseases of the Stomach, such as Sick Stomach, Colic, General Debility, Diarrhea and Cramps \* \* \* in serious cases \* \* \* I suffered with a cough for ten years \* \* \* a bottle of ‘Giepsi Vemela’ \* \* \* completely restored my health \* \* \* as a result of pneumonia I had suffered a serious complication of the stomach called tuberculosis of the large intestine. \* \* \* but my brother came to visit me bringing a bottle of ‘Giepsi Vemela’ \* \* \* Having taken the first bottle I felt much better. I took three more \* \* \* am today completely restored, therefore I recommend it as a marvel \* \* \* For more than a year I suffered with a violent cough \* \* \* finally ‘Giepsi Vemela’ was recommended, of which I took only two bottles. Today I am entirely well,” which said statements relative to the curative and therapeutic effects of the said article were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the results claimed. Misbranding was alleged for the further reason that the said carton bore the following, “Guaranteed under the Food and Drugs Act,” and the said circular bore in Spanish the following, “Giepsi Vemela was subjected to the laws required by the United States of America before being placed on the market,” which said statements were false and were intended to deceive and to stimulate the sale of the said article.

On February 23, 1922, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**11011. Misbranding of olive oil. U. S. v. 18 Cans, et al., of Olive Oil. Default decrees ordering sale of the property.** (F. & D. Nos. 15419, 15420, 15421. I. S. Nos. 238-t, 239-t, 240-t. S. No. C-3266.)

On June 8, 1922, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 38 2-quart cans, 57 quart cans, and 18 pint cans of olive oil, remaining in the original unbroken packages at Indiana Harbor, Ind., alleging that the article had been shipped by Deligiannis Bros., Chicago, Ill., in part on or about August 3, and in part on or about August 26, 1921, and transported from the State of Illinois into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: “Net Contents Two Quarts” (or “One Quart” or “One Pint”) “\* \* \* Pure Olive Oil Universal Brand Deligiannis Bros. Chicago, U. S. A.”